रजिस्ट्री सं० डी० 221 REGISTERED NO. D. 221

भारत का राजपत्र
The Gazette of India

असाधारण
EXTRAORDINARY
भाग II—खण्ड 2
PART II—Section 2
प्राधिकार से प्रकाशित
PUBLISHED BY AUTHORITY

SECRETARY'S OFFICE 1972 1471 2

सं० 32] नई दिल्ली, सोमवार, जुलाई 31, 1972/श्रावण 9, 1894
No. 32] NEW DELHI, MONDAY, JULY 31, 1972/SRAVANA 9, 1894

इस भाग में भिन्न पृष्ठ संख्या दी जाती है जिससे कि यह अलग संकलन के रूप में रखा जा सके।
Separate paging is given to this Part in order that it may be filed as a separate compilation

LOK SABHA

The following Bill was introduced in Lok Sabha on the 31st July, 1972:—

A Bill to provide for the acquisition and transfer of the right, title and interest of the owners of the coking coal mines specified in the First Schedule, and the right, title and interest of the owners of such coke oven plants as are in or about the said coking coal mines with a view to reorganising and reconstructing such mines and plants for the purpose of protecting, conserving and promoting scientific development of the resources of coking coal needed to meet the growing requirements of the iron and steel industry and for matters connected therewith or incidental thereto.

BE it enacted by Parliament in the Twenty-third Year of the Republic of India as follows:—

CHAPTER I

PRELIMINARY

Short title and commencement.

1. (*1*) This Act may be called the Coking Coal Mines (Nationalisation) Act, 1972.

(2) The provisions of sections 30 and 31 shall come into force at once and the remaining provisions of this Act shall be deemed to have come into force on the 1st day of May, 1972.

Declaration as to the policy of the State.

2. It is hereby declared that this Act is for giving effect to the policy of the State towards securing the principles specified in clause (*b*) of article 39 of the Constitution.

Explanation.—In this section, "State" has the same meaning as in article 12 of the Constitution.

Definitions.

3. In this Act, unless the context otherwise requires,—

(*a*) "appointed day" means the 1st day of May, 1972;

(*b*) "coke oven plant" means the plant and equipment with which the manufacture of hard coke has been, or is being, carried on, and includes—

(*i*) all lands, buildings, works, machinery and equipment, vehicles, railways, tramways and sidings, belonging to, or in, the coke oven plant,

(*ii*) all workshops belonging to the coke oven plant, including buildings, machinery, instruments, stores, equipment of such workshops and the lands on which such workshops stand,

(*iii*) all coke in stock or under production, and other stores, stocks and instruments, belonging to the coke oven plant,

(*iv*) all power stations belonging to the coke oven plant or operated for supplying electricity for the purpose of working the coke oven plant or a number of coke oven plants,

(*v*) all lands, buildings and equipment belonging to the coke oven plant where the washing of coal is carried on,

(*vi*) all other fixed assets, movable or immovable, and current assets belonging to a coke oven plant, whether within its premises or outside.

Explanation.—"Current assets" do not include dues from sundry debtors, loans and advances to other parties and investments, not being investments in the coke oven plant;

(*c*) "coking coal mine" means a coal mine in which there exists one or more seams of coking coal, whether exclusively or in addition to any seam of other coal:

(*d*) "company" means a company as defined in section 3 of the Companies Act, 1956, and includes a foreign company within the meaning of section 591 of that Act; 1 of 1956.

(*e*) "Commissioner" means the Commissioner of Payments appointed under section 20;

(*f*) "Custodian" means the Custodian appointed under sub-section (2) of section 14, to take over, or carry on, the management of a coking coal mine or coke oven plant;

(*g*) "date of assent" means the date on which assent is given by the President to this Act;

(*h*) "Government company" has the meaning assigned to it by section 617 of the Companies Act, 1956; 1 of 1956.

(*i*) "managing contractor" means the person, or body of persons, who, with the previous Consent in writing of the State Government, has entered into an arrangement, contract or undertaking, with the owner of a coking coal mine or coke oven plant under which the operations of the coking coal mine or coke oven plant are substantially controlled by such person or body of persons;

(*j*) "mine" means any excavation where any operation for the purpose of searching for or obtaining minerals has been or is being carried on, and includes—

(*i*) all borings and bore holes:

(*ii*) all shafts adjacent to, and belonging to, or in, a mine, whether in the course of being sunk or not;

(*iii*) all levels and inclined planes in the course of being driven;

(*iv*) all open cast working;

(*v*) all conveyors or aerial ropeways provided for bringing into or removal from a mine of minerals or other articles or for the removal of refuse therefrom;

(*vi*) all lands, buildings, works, adits, levels, planes, machnery and equipment, vehicles, railways, tramways and sidings belonging to, or in, or about, a mine;

(*vii*) all workshops belonging to, or in, a mine, including buildings, machinery, instruments, stores, equipment of such workshops and the lands on which such workshops stand;

(*viii*) all coal in stock or in transit or under production and other stores, stocks and instruments belonging to, or in, a mine;

(*ix*) all power stations belonging to, or in, a mine or operated for supplying electricity for the purpose of working the mine or a number of mines;

(*x*) all lands, buildings and equipment belonging to, or in, a mine where the washing of coal or manufacture of coke is carried on;

(*xi*) all other fixed assets, movable or immovable, and current assets, belonging to a mine, whether within its premises or outside.

Explanation.—"Current assets" do not include dues from sundry debtors, loans and advances to other parties and investments, not being investments in the coking coal mine;

(*k*) "Mineral Concession Rules" means the rules, for the time being in force, made under the Mines and Minerals (Regulation and Development) Act, 1957; 67 of 1957.

(*l*) "mining company" means a company owning a coking coal mine, and in relation to a foreign company within the meaning of section 591 of the Companies Act, 1956, the undertaking of that company in India; 1 of 1956.

(*m*) "notification" means a notification published in the Official Gazette;

(*n*) "owner",—

(*i*) when used in relation to a mine, has the meaning assigned to it in the Mines Act, 1952, 35 of 1952.

(*ii*) when used in relation to a coke oven plant, means any person who is the immediate proprietor or lessee or occupier of the coke oven plant or any part thereof or is a contractor for the working of the coke oven plant or any part thereof;

(*o*) "prescribed" means prescribed by rules made under this Act;

(*p*) "scheduled bank" means a bank included for the time being in the Second Schedule to the Reserve Bank of India Act, 1934; 2 of 1934.

(*q*) "specified date" means such date as the Central Government may, for the purpose of any provision of this Act, by notification, specify; and different dates may be specified for different provisions of this Act;

(*r*) words and expressions used herein and not defined but defined in the Coal Mines (Conservation, Safety and Development) Act, 1952, have the meanings, respectively, assigned to them in that Act; 12 of 1952.

(*s*) words and expressions used herein and not defined in this Act or in the Coal Mines (Conservation, Safety and Development) Act, 1952, but defined in the Mines Act, 1952, shall have the meanings, respectively, assigned to them in the Mines Act, 1952. 12 of 1952. 35 of 1952.

CHAPTER II

ACQUISITION OF THE RIGHTS OF OWNERS OF COKING COAL MINES AND COKE OVEN PLANTS

Acquisition of rights in coking coal mines.

4. (*1*) On the appointed day, the right, title and interest of the owners in relation to the coking coal mines specified in the First Schedule shall stand transferred to, and shall vest absolutely in, the Central Government, free from all incumbrances.

(*2*) For the removal of doubts, it is hereby declared that if, after the appointed day, any other coal mine is found, after an investigation made by the Coal Board, to contain coking coal, the provisions of the Coking Coal Mines (Emergency Provisions) Act, 1971, shall, until that mine is nationalised by an appropriate legislation, apply to such mine. 64 of 1971.

Acquisition of rights of owners of coke oven plants.

5. On the appointed day, the right, title and interest of the owners of each of the coke oven plants specified in the Second Schedule, being the coke oven plants which are situated in or about the coking coal mines specified in the First Schedule, shall stand transferred to, and shall vest absolutely in, the Central Government, free from all incumbrances.

Central Government to be the lessee of the State Government.

6. (*1*) Where the rights of an owner under any mining lease granted, or deemed to have been granted, in relation to a coking coal mine, by a State Government or any other person, vest in the Central Government under section 4, the Central Government shall, on and from the date of such vesting, be deemed to have become the lessee of the State Government or such other person, as the case may be, in relation to such coking coal mine as if a mining lease in relation to such coking coal mine had been granted to the Central Government under the Mineral Concession Rules, the period of such lease being the entire period for which such lease could have been granted by the State Government or such other person under those Rules and, thereupon, all the rights under such mining lease, including surface, underground and other rights granted to the lessee shall be deemed to have been transferred to, and vested in, the Central Government.

(2) On the expiry of the term of any lease, referred to in sub-section (*1*), such lease shall, if so desired by the Central Government be renewed, on the same terms and conditions on which the lease was held on the appointed day, by the lessor for the maximum period for which such lease can be renewed under the Mineral Concession Rules.

Power of Central Government to direct vesting rights in a Government company.

7. (*1*) Notwithstanding anything contained in sections 4 to 6 (both inclusive), the Central Government may, if it is satisfied that a Government company is willing to comply, or has complied, with such terms and conditions as that Government may think fit to impose, direct, by an order in writing, that the right, title and interest of an owner in relation to a coking coal mine or coke oven plant referred to, respectively, in section 4 or section 5 shall, instead of continuing to vest in the Central Government, vest in the Government company either on the date of publication of the direction or on such earlier or later date (not being a date earlier than the appointed day), as may be specified in the direction.

(2) Where the right, title and interest of an owner in relation to a coking coal mine or coke oven plant vest in a Government company under sub-section (*1*), the Government company shall, on and from the date of such vesting, be deemed to have become—

(*a*) the lessee in relation to such coking coal mine as if a mining lease in relation to such coking coal mine had been granted to the Government company under the Mineral Concession Rules, the period of such lease being the entire period for which such lease could have been granted under those Rules;

(*b*) the owner of the coke oven plant,

and all the rights and liabilities of the Central Government in relation to such coking coal mine or coke oven plant shall, on and from the date of such vesting, be deemed to have become the rights and liabilities, respectively, of the Government company.

(3) The provisions of sub-section (2) of section 6 shall apply to a lease which vests in a Government company as they apply to a lease vested in the Central Government and, reference therein to the Central Government shall be construed as reference to the Government company.

Properties vesting in Central Government to be freed from mortgages, etc.

8. (1) All property which vests in the Central Government or in a Government company under this Chapter shall, by force of such vesting, be freed and discharged from any trust, obligation, mortgage, charge, lien and all other incumbrances affecting it and any attachment, injunction or decree or order of any court restricting the use of such property in any manner shall be deemed to have been withdrawn.

(2) Every mortgagee any property which has vested under this Act in the Central Government or in a Government company, and every person holding any charge, lien or other interest in or in relation to any such property shall give, within such time and in such manner as may be prescribed, an intimation to the Commissioner of such mortgage, charge, lien or other interest.

(3) For the removal of doubts, it is hereby declared that the mortgagee of any property referred to in sub-section (1) or any other person holding any charge, lien or other interest in, or in relation to, any such property shall be entitled to claim payment of the mortgage money or other dues, in whole or in part, out of the amount specified in relation to such property in the First Schedule or the Second Schedule, as the case may be, but no such mortgage, charge or lien or other interest shall be enforceable against any such property of the Central Government or the Government company.

Central Government not to be liable for prior liabilities.

9. (1) Every lability of the owner, agent, manager, or managing contractor of a coking coal mine or coke oven plant, in relation to any period prior to the appointed day, shall be the liability of such owner, agent, manager or managing contractor, as the case may be, and shall be enforceable against him and not against the Central Government or the Government company.

(2) For the removal of doubts, it is hereby declared that—

(a) save as otherwise provided elsewhere in this Act, no claim for wages, bonus, royalty, rate, rent, taxes, provident fund, pension, gratuity or any other dues in relation to a coking coal mine or coke oven plant in respect of any period prior to the appointed day, shall be enforceable against the Central Government or the Government company;

(b) no award, decree or order of any court, tribunal or other authority in relation to any coking coal mine or coke oven plant passed after the appointed day, but in relation to any matter, claim or dispute which arose before that day, shall be enforceable against the Central Government or the Government company;

(c) no liability for the contravention of any provision of law for the time being in force, made before the appointed day, shall be enforceable against the Central Government or the Government company.

CHAPTER III

PAYMENT OF AMOUNT

Payment of amount to owners of coking coal mines.

10. The owner of every coking coal mine or group of coking coal mines specified in the second column of the First Schedule, shall be given by the Central Government, in cash and in the manner specified in section 21, for vesting in it, under section 4, the right, title and interest of the owner in relation to such coking coal mine or group of coking coal mines, an amount equal to the amount specified against it in the corresponding entry in the fifth column of the said Schedule.

Payment of amount to owners of coke oven plants.

11. The owner of every coke oven plant specified in the second column of the Second Schedule, shall be given by the Central Government, in cash and in the manner specified in section 21, for vesting in it, under section 5, the right, title and interest of the owner in relation to such coke oven plant, an amount equal to the amount specified against it in the corresponding entry in the fifth column of the said Schedule.

Payment of further amount.

12. (*1*) In consideration of the retrospective operation of the provisions of section 4 and section 5, there shall be given by the Central Government, in cash, to the owner of every coking coal mine specified in the First Schedule or the owner of every coke oven plant specified in the Second Schedule, an amount equal to the amount which would have been, but for the provisions of the said section 4 or section 5, as the case may be, payable to such owner under the Coking Coal Mines (Emergency Provisions) Act, 1971, for the period commencing on the 1st day of May, 1972, and ending on the date of assent.

64 of 1971.

(*2*) In addition to the amount specified in sub-section (*1*), there shall be given by the Central Government, in cash, to the owner of every coking coal mine specified in the First Schedule and the owner of every coke oven plant specified in the Second Schedule, simple interest at the rate of four per cent. per annum on the amount specified against such owner in the corresponding entry in the fifth column of the First Schedule or the Second Schedule, as the case may be, for the period commencing on the date of assent and ending on the date of payment of such amount to the Commissioner.

(*3*) The amounts referred to in sub-section (*1*) and sub-section (*2*) shall be in addition to the amount specified in the First Schedule or the Second Schedule, as the case may be.

Income derived by the owners of coking coal mines and coke oven plants after the appointed day to be refunded to the Central Government.

13. (*1*) Where, in pursuance of any decree, order or injunction made by a court, the Central Government or the Custodian appointed under the Coking Coal Mines (Emergency Provisions) Act, 1971, was prevented from taking over the management of any coking coal mine or coke oven plant, the owner of such coking coal mine or coke oven plant shall render, within sixty days from the date of assent, to the Central Government or the Government company, as the case may be, accounts, in relation to the period commencing on the appointed day and ending on the date of assent, with regard to the—

64 of 1971.

(*a*) assets or stores of the coking coal mine or coke oven plant acquired or sold by him during the said period;

(*b*) coal or coke sold or despatched during the said period;

(*c*) income derived by him from the coking coal mine or coke oven plant during the said period.

(*2*) If, on examination of the accounts referred to in sub-section (*1*), any income is found to have been derived by the owner from the coking coal mine or coke oven plant during the period referred to in that sub-section, such income shall be set off against the amount specified in the First Schedule or the Second Schedule, as the case may be, against the name of such owner, and the balance of such amount shall be paid to him.

CHAPTER IV

MANAGEMENT, ETC., OF COKING COAL MINES AND COKE OVEN PLANTS

Management, etc., of coking coal mines and coke oven plants.

14. (*1*) The general superintendence, direction, control and management of the affairs and business of a coking coal mine or coke oven plant, the right, title and interest of an owner in relation to which have vested in the Central Government under section 4 or section 5, as the case may be, shall,—

(*a*) in the case of a coking coal mine or coke oven plant, in relation to which a direction has been made by the Central Government under sub-section (*1*) of section 7, vest in the Government company specified in such direction, or

(*b*) in the case of a coking coal mine or coke oven plant, in relation to which no such direction has been made by the Central Government, vest in one or more Custodians appointed by the Central Government under sub-section (*2*),

and thereupon the Government company so specified or the Custodian so appointed, as the case may be, shall be entitled to exercise all such powers and do all such things as the owner of the coking coal mine or coke oven plant is authorised to exercise and do.

(*2*) The Central Government may appoint an individual or a Government company as the Custodian of a coking coal mine or coke oven plant in relation to which no direction has been made by it under sub-section (*1*) of section 7.

Duty of persons in-charge of management of coking coal mines or coke oven plants to deliver all assets etc.

15. (*1*) On the vesting of the management of a coking coal mine or coke oven plant in a Government company or on the appointment of a Custodian, all persons in charge of the management of such coking coal mine or coke oven plant immediately before such vesting or appointment, shall be bound to deliver to the Government company or Custodian, as the case may be, all assets, books of account, registers or other documents in their custody relating to the coking coal mine or coke oven plant, and any contract, whether express or implied, providing for the

management of the coking coal mine or coke oven plant made before the appointed day between such persons and the owners of such coking coal mine or coke oven plant, shall be deemed to have terminated on the date on which the management of the coking coal mine or coke oven plant vests in the Government company or the Custodian so appointed.

(2) The Central Government may issue such directions as it may deem desirable in the circumstances of the case to the Government company or Custodian as to its or his powers and duties and the Government company or Custodian may, also if it or he so desires, apply to the Central Government at any time for instructions as to the manner in which the management of the coking coal mine or coke oven plant shall be conducted by it or him or in relation to any other matter arising in the course of such management.

(3) The Custodian shall receive from the funds of the coking coal mine or coke oven plant, as the case may be, in relation to which he or it is the Custodian, such remuneration as the Central Government may fix and shall hold office during the pleasure of the Central Government.

Accounts and audit

16. The Custodian of every coking coal mine or coke oven plant shall maintain the accounts of such mine or plant in such manner and under such conditions as may be prescribed.

CHAPTER V

PROVISIONS RELATING TO EMPLOYEES OF COKING COAL MINES AND COKE OVEN PLANTS

Employment of certain employees to continue.

17. (1) Every person who is a workman within the meaning of the 14 of 1947. Industrial Disputes Act, 1947, and has been, immediately before the appointed day, in the employment of a coking coal mine or coke oven plant, shall become on and from the appointed day, an employee of the Central Government, or, as the case may be, of the Government company in which the right, title and interest of such mine or plant have vested under this Act, and shall hold office or service in the coking coal mine or coke oven plant, as the case may be, on the same terms and conditions and with the same rights to pension, gratuity and other matters as would have been admissible to him if the rights in relation to such coking coal mine or coke oven plant had not been transferred to, and vested in, the Central Government or Government company, as the case may be, and continue to do so unless and until his employment in such coking coal mine or coke oven plant is duly terminated or until his remuneration, terms and conditions of employment are duly altered, by the Central Government or the Government company.

(2) The Central Government or the Government company in which the right, title and interest in relation to a coking coal mine or coke oven plant have vested, may employ, on mutually acceptable terms and conditions, any person who is not a workman within the meaning of the 14 of 1947. Industrial Disputes Act, 1947, and who has been, immediately before the appointed day, in the employment of a coking coal mine or coke oven plant, and on such employment the said person shall become an employee of the Central Government or the Government company, as the case may be.

(3) Save as otherwise provided in sub-sections (1) and (2), the services of every person employed by the owner or occupier of a coking coal mine or coke oven plant before the appointed day shall stand terminated on and from the specified date.

(4) Notwithstanding anything contained in the Industrial Disputes Act, 1947, or in any other law for the time being in force, the transfer of the services of any officer or other employee from a coking coal mine or coke oven plant to any other coking coal mine or coke oven plant shall not entitle such officer or other employee to any compensation under this Act or any other law for the time being in force and no such claim shall be entertained by any court, tribunal or other authority. 14 of 1947.

(5) Where, under the terms of any contract of service or otherwise, any person whose service becomes terminated, or whose service becomes transferred to the Central Government or a Government company by reason of the provisions of this Act, is entitled to any payment by way of gratuity or retirement benefit or for any leave not availed of, or any other benefits, such person may enforce his claim against the owner of the coking coal mine or coke oven plant, as the case may be, but not against the Central Government or the Government company.

Provident fund.

18. (1) Where a coking coal mine or coke oven plant has established a provident fund for the benefit of its employees, the monies relatable to the employees, whose services have become transferred, by or under this Act, to the Central Government or a Government company, shall, out of the monies standing, on the appointed day, to the credit of such provident fund, stand transferred to, and vest in, the Central Government or the Government company, as the case may be.

(2) The monies which stand transferred, under sub-section (1), to the Central Government or a Government company shall be dealt with by that Government or company, as the case may be, in such manner as may be prescribed.

Superannuation, welfare and other funds.

19. Where a superannuation, welfare or other fund has been established for the benefit of the employees whose services stand transferred to the Central Government or a Government company, the coking coal mine or coke oven plant, by which such employees were employed, shall distribute the amount due to each such employee as if the employee had superannuated, or his services with the coking coal mine or coke oven plant had terminated, on the day immediately preceding the specified date.

CHAPTER VI

COMMISSIONER OF PAYMENTS

Commissioner of Payments to be appointed.

20. (1) For the purpose of disbursing the amounts payable to the owner of each coking coal mine or coke oven plant, the Central Government shall appoint such person as it may think fit to be the Commissioner of Payments.

(2) The Central Government may appoint such other persons as it may think fit to assist the Commissioner.

(3) The salaries and allowances of the Commissioner and other persons appointed under this section shall be defrayed out of the Consolidated Fund of India.

Payment by the Central Government to the Commissioner.

21. (*1*) The Central Government shall, within thirty days from the specified date, pay, in cash, to the Commissioner, for payment to the owner of a coking coal mine or coke oven plant, a sum equal to the sum specified against the coking coal mine or coke oven plant, as the case may be, in the First Schedule or the Second Schedule together with the amount and interest, if any, referred to in section 12.

(*2*) In addition to the sum referred to in sub-section (*1*), the Central Government shall pay, in cash, to the Commissioner, such amount as may become due to the owner of a coking coal mine or coke oven plant in relation to the period during which the management of the coking coal mine or coke oven plant remained vested in the Central Government.

(*3*) The Commissioner shall open and operate an account in a scheduled bank in respect of each coking coal mine or coke oven plant.

(*4*) Every amount paid to the Commissioner shall be deposited to the credit of the account, referred to in sub-section (*3*), of the coking coal mine or coke oven plant to which the payment relates.

(*5*) Interest accruing on the amount standing to the credit of the account referred to in sub-section (*3*) shall enure to the benefit of the owner of the coking coal mine or coke oven plant, as the case may be.

(*6*) References in this section to the owner of a coking coal mine shall, in relation to a group of coking coal mines specified in the First Schedule, be construed as references to the owner of that group of coking coal mines.

Statement of accounts in relation to the period of management by the Central Government, etc.

22. (*1*) The Central Government or the Government company, as the case may be, shall cause the books in relation to each coking coal mine or coke oven plant, the management of which has vested in it to be closed and balanced as on the 30th day of April, 1972, and shall cause a statement of accounts, as on that day, to be prepared, within such time, in such form and in such manner as may be prescribed, in relation to each such mine or plant in respect of the transactions effected by it during the period for which the management of such coking coal mine or coke oven plant remained vested in it:

Provided that where two or more coking coal mines or coke oven plants were owned, before the commencement of this Act, by the same owner, a consolidated statement of accounts may be prepared for all the coking coal mines or coke oven plants owned by such owner.

(*2*) All amounts received by the Central Government or the Government company after the closure of such accounts shall, where such amounts relate to transactions effected before the appointed day, be included in the said statement of accounts in respect of the coking coal mine or coke oven plant to which the said receipt relates.

(*3*) The Central Government or the Government company in which the right, title and interest of the coking coal mine or coke oven plant stands vested shall be entitled to receive, up to the specified date, to the exclusion of all other persons, any money, due to the coking coal mine or

coke oven plant, as the case may be, realised after appointed day notwithstanding that the realisations pertain to a period prior to the appointed day:

Provided that where such realisations have not been included in the statement of accounts as on the 30th day of April, 1972, a supplementary statement of accounts shall be prepared and furnished, at such intervals as may be prescribed, by the Central Government or the Government company to the owner of the coking coal mine or the coke oven plant, as the case may be.

(4) The liabilities of the coking coal mine or the coke oven plant (not being liabilities arising out of advances made by the Central Government or Government company), which could not be discharged by the appointed day, may be discharged by the Central Government or the Government company up to the specified date, and every payment made for the settlement with the owner shall be included in the statement of accounts as on the 30th day of April, 1972, indicating therein the period in relation to which the payments were made:

Provided that the liabilities in relation to the period prior to the appointed day, which have not been discharged on or before the specified date, shall be the liabilities of the owner of the coking coal mine or the coke oven plant, as the case may be.

(5) A copy of each statement of accounts prepared under this section shall be delivered by the Central Government or the Government company, as the case may be, to the Commissioner and also to the owner:

Provided that where the number of owners is more than one, only one copy of the statement of accounts shall be given to the owners for the benefit of all of them.

(6) The statement of accounts prepared under this section shall be audited by a person who is qualified to be appointed as an auditor of a company under section 226 of the Companies Act, 1956, and the auditor so appointed shall receive, from the funds of the coking coal mine or coke oven plant, as the case may be, such remuneration as the Central Government may fix. 1 of 1956.

(7) The audit of the statement of accounts shall be conducted in such manner as the Central Government may direct.

Claims to be made to the commissioner.

23. (1) Every person having a claim against the owner of a coking coal mine or coke oven plant shall prefer such claim before the Commissioner within thirty days from the specified date:

Provided that if the Commissioner is satisfied that the claimant was prevented by sufficient cause from preferring the claim within the said period of thirty days, he may, on the expiry of the said period of thirty days, entertain the claim within a further period of thirty days, but not thereafter.

(2) Notwithstanding anything contained in any other law for the time being in force, there shall be paid in priority to all other unsecured debts, not being the amounts advanced by the Central Government or

the Custodian appointed under the Coking Coal Mines (Emergency Provi-
64 of 1971. sions) Act, 1971, for the management of the coking coal mine or coke oven plant, as the case may be,—

(*a*) all wages or salary (including wages payable for time or piece work and salary earned wholly or in part by way of commission) of any employee, in respect of services rendered to the coking coal mine or coke oven plant, as the case may be, and any compensation payable to any workman under any provisions of Chapter VA
14 of 1947. of the Industrial Disputes Act, 1947:

(*b*) all amounts due, in respect of contributions payable during the twelve months next before the appointed day, under the Coal
46 of 1948. Mines Provident Fund, Family Pension and Bonus Schemes Act, 1948 or any other law for the time being in force;

(*c*) all amounts due in respect of any compensation or liability
8 of 1923. for compensation under the Workmen's Compensation Act, 1923 in respect of the death or disablement of any employee of the coking coal mine or coke oven plant unless such mine or plant has, under such a contract with insurers as is mentioned in section 15 of the said Act, rights capable of being transferred to and vested in, the workmen;

(*d*) all sums due to any employee from a provident fund, pension fund or gratuity fund or any other fund established for the welfare of the employees of the coking coal mine or coke oven plant; and

(*e*) all sums due to the State Government as royalty, rent or dead rent, as the case may be.

(*3*) The debts specified in sub-section (*2*), shall rank equally among themselves and be paid in full, unless the assets are insufficient to meet them, in which case they shall abate in equal proportions and be paid accordingly.

(*4*) The Commissioner shall fix a certain date on or before which every claimant shall prove his claim or be excluded from the benefit of the disbursements made by the Commissioner.

(*5*) Not less than fourteen day's notice of the date so fixed shall be given by advertisement in one issue of the daily newspaper in the English language and one issue of such daily newspaper in the regional language as the Commissioner may consider suitable, and every such notice shall call upon the claimant to file the proof of his claim with the Commissioner within the time specified in the advertisement.

(*6*) Every claimant who fails to prove his claim within the time specified by the Commissioner shall be excluded from the disbursements made by the Commissioner.

(*7*) The Commissioner shall, after such investigation as may, in his opinion, be necessary and after giving the owner of the coking coal mine or coke oven plant, as the case may be, an opportunity of refuting the claim and after giving the claimant a reasonable opportunity of being heard, in writing admit or reject the claim in whole or in part.

(8) A claimant who is dissatisfied with the decision of the Commissioner may prefer an appeal against the decision, to the principal civil court of original jurisdiction within the local limits of whose jurisdiction the coking coal mine or coke oven plant, as the case may be, is situated.

Disbursement of money by the Commissioner.

24. Where the total amount of the claim admitted by the Commissioner does not exceed the total amount of the money credited to the account of a coking coal mine or coke oven plant, every such admitted claim shall rank equally among themselves and be paid in full, and the balance, if any, shall be paid to the owner, but where such amount is insufficient to meet in full the total amount of the admitted claims, every such claim shall abate in equal proportions and be paid accordingly.

Amounts advanced by the Central Government how to be recovered.

25. Every amount advanced by the Central Government or the Custodian, as the case may be, for the management of a coking coal mine or coke oven plant shall be recovered from the income derived by such coking coal mine or coke oven plant in respect of the period during which the management of such mine or plant remained vested in the Central Government:

Provided that where such income is insufficient to meet in full the total amount of the advances made by the Central Government or the Custodian for the management of the coking coal mine or coke oven plant, the Central Government may make a claim to the Commissioner for the deficiency of the amount so advanced and the claim in respect of such deficiency shall have priority over the claims of all other unsecured creditors of the coking coal mine or coke oven plant.

Explanation.—In this section, "Custodian" means the Custodian appointed under the Coking Coal Mines (Emergency Provisions) Act, 1971. 64 of 1971.

Disputes how to be dealt with.

26. (1) In the event of there being a doubt or dispute as to the right of a person to receive the whole or any part of the amount referred to in sections 10, 11 and 12, the Commissioner shall refer the matter to the court for a decision, and shall make the disbursements in accordance with the decision of the court.

(2) In relation to a coking coal mine or coke oven plant, the operations of which were, immediately before the 17th day of October, 1971 under the control of a managing contractor, the amount specified in the First Schedule against such coking coal mine or in the Second Schedule against such coke oven plant shall be apportioned between the owner of the coking coal mine or coke oven plant and such managing contractor in such proportions as may be agreed upon by or between the owner and such managing contractor, and in the event of there being no such agreement, in such proportions as may be determined by the court.

Explanation.—In this section, "court", in relation to a coking coal mine or coke oven plant, means the principal civil court of original jurisdiction within the local limits of whose jurisdiction the coking coal mine or coke oven plant is situated.

Undisbursed or unclaimed amounts to be deposited to the general revenue account.

27. Any money paid to the Commissioner which remains undisbursed or unclaimed after such payment for a period of three years shall be transferred by the Commissioner to the general revenue account of the Central Government; but a claim to any money so transferred may be preferred to the Central Government by the person entitled to such payment and shall be dealt with as if such transfer had not been made, the order, if any, for payment of the claim being treated as an order for the refund of revenue.

CHAPTER VII

MISCELLANEOUS

Effect of Act on other laws.

28. The provisions of this Act shall have effect notwithstanding anything inconsistent therewith contained in any other law for the time being in force or in any instrument having effect by virtue of any law other than this Act, or in any decree or order of any court, tribunal or other authority.

Contracts cease to have effect unless ratified by the Central Government.

29. (*1*) Every contract entered into by the owner or occupier of any coking coal mine or coke oven plant for any service, sale or supply before the appointed day shall, on and from the expiry of one hundred and twenty days from the date of assent, cease to have effect unless such contract is, before the expiry of that period, ratified, in writing, by the Central Government and in ratifying such contract the Central Government may make such alterations or modifications therein as it may think fit:

Provided that the Central Government shall not omit to ratify a contract unless it is satisfied that such contract is unduly onerous or has been entered into in bad faith or is detrimental to the interests of the coking coal mine or coke oven plant.

(*2*) The Central Government shall not omit to ratify a contract or make any alteration or modification therein except after giving to the parties to the contract a reasonable opportunity of being heard and except after recording in writing its reasons for refusal to ratify the contract.

Penalties.

30. Any person who,—

(*a*) having in his possession, custody or control of any property forming part of the undertaking of any coking coal mine or coke oven plant referred to in the First Schedule or the Second Schedule, as the case may be, wrongfully withholds such property from the Central Government, or

(*b*) wrongfully obtains possession of, or retains, any property forming part of the undertaking of any coking coal mine or coke oven plant referred to in the First Schedule or the Second Schedule, as the case may be, or wilfully withholds or fails to furnish to the Central Government or any person specified by that Government, any document relating to such coking coal mine or coke oven plant, which may be in his possession, custody or control, or fails to deliver to the Custodian any assets, books of account, registers or other documents in his custody relating to the coking coal mine or coke oven plant in respect of which a Custodian has been appointed, or

(c) wrongfully removes or destroys any property of any coking coal mine or coke oven plant or prefers any claim under this Act in relation to such mine or plant, which he knows or has reasonable cause to believe to be false or grossly inaccurate,

he shall be punishable with imprisonment for a term which may extend to two years, or with fine which may extend to ten thousand rupees, or with both.

Offences by companies.

31. (*1*) Where an offence under this Act has been committed by a company, every person who at the time the offence was committed was in charge of, and was responsible to, the company for the conduct of the business of the company as well as the company, shall be deemed to be guilty of the offence and shall be liable to be proceeded against and punished accordingly:

Provided that nothing contained in this sub-section shall render any such person liable to any punishment, if he proves that the offence was committed without his knowledge or that he had exercised all due diligence to prevent the commission of such offence.

(*2*) Notwithstanding anything contained in sub-section (*1*), where any offence under this Act has been committed with the consent or connivance of, or is attributable to, any neglect on the part of, any director, manager, secretary or other offcer of the company, such director, manager, secretary or other officer shall be deemed to be guilty of that offence and shall be liable to be proceeded against and punishd accordingly.

Explanation.—For the purposes of this section,—

(*a*) "company" means any body corporate and includes a firm or other association of individuals; and

(*b*) "director", in relation to a firm, means a partner in the firm.

Mining companies not to be wound up by court.

32. No proceeding for the winding up of a mining company, the right, title and interest in relation to the coking coal mine or coke oven plant owned by which have vested in the Central Government or in a Government company under this Act or for the appointment of a receiver in respect of such business, shall lie in any court except with the consent of the Central Government.

Delegation of powers.

33. (*1*) The Central Government may, by notification, direct that all or any of the powers exercisable by it under this Act may also be exercised by any person or persons as may be specified in the notification.

(*2*) Whenever any delegation of power is made under sub-section (*1*), the person to whom such power has been delegated shall act under the direction, control and supervision of the Central Government.

Power to make rules.

34. (*1*) The Central Government may, by notification, make rules to carry out the provisions of this Act.

(2) In particular, and without prejudice to the generality of the foregoing power, such rules may provide for all or any of the following matters, namely:—

(*a*) the manner in which the coking coal mines or coke oven plants shall be managed by a Government company or a Custodian;

(*b*) the manner in which provident fund monies referred to in section 18 shall be dealt with;

(c) the form and manner in which the statement of accounts referred to in section 22 shall be prepared;

(*d*) any other matter in relation to which such rule is required to be, or may be, made.

(*3*) Every rule made by the Central Government under this Act shall be laid, as soon as may be after it is made, before each House of Parliament, while it is in session, for a total period of thirty days which may be comprised in one session or in two or more successive sessions, and if, before the expiry of the session immediately following the session or the successive sessions aforesaid, both Houses agree in making any modification in the rule or both Houses agree that the rule should not be made, the rule shall thereafter have effect only in such modified form or be of no effect, as the case may be; so, however, that any such modification or annulment shall be without prejudice to the validity of anything previously done under that rule.

Power to remove difficulties.

35. If any difficulty arises in giving effect to the provisions of this Act, the Central Government may, by order, not inconsistent with the provisions of this Act, remove the difficulty:

Provided that no such order shall be made after the expiry of a period of two years from the date of assent.

Cooking coal mines to which the Act shall not apply.

36. Nothing in this Act shall apply to any coking coal mine—

(*a*) owned or managed by a Government company or corporation owned or controlled by Government:

(*b*) owned or managed by a company engaged in the production of iron or steel:

Provided that this section shall not extend to such mine or part thereof which, in the opinion of the Central Government, is in excess of the requirements for the production of iron and steel by that company.

THE FIRST SCHEDULE

(*See* sections 4 and 10)

Sl. No.	Name of the mine	Location of the mine	Name and address of the owners of the mine	Amount (in rupees)
1	2	3	4	5
1	Dhori (EB-1)	Post office Bermo, District Hazaribagh.	Ownership under dispute.	6,77,500
2	Kalyani Selected Kargali (EB-2)	Post Office Pichri, District Hazaribagh.	Gouri Shanker and Others, Post Office Bermo, Hazaribagh.	7,19,000
3	Khas Dhori (EB-3)	Post Office, Pichri, District Hazaribagh.	Khas Dhori Colliery Company, Post Office Katrasgarh, Dhanbad.	4,07,000
4	Pipradih (EB-4)	Post Office, Gomia, District Hazaribagh.	Pacific Coal Company, Post Office Gomia, District Hazaribagh.	14,13,500
5	Pichri (EB-5)	Post Office Pichri, District Hazaribagh.	Pichri Colliery Company Private Limited, Post Office Bermo, Hazaribagh.	3,21,800
6	Selected Dhori (EB-6)	Post Office Bermo, District Hazaribagh.	Selected Dhori Colliery, Post Office Katrasgarh, Dhanbad.	7,43,500
7	Turiyo (EB-7)	Post Office Turiyo, District Hazaribagh.	Bhubaneswar Singh and Shivdayal Rathi Post Office, Jharia, Dhanbad.	5,74,000
8	Tarmi (EB-8)	Post Office Turiyo, District Hazaribagh.	Tarmi Colliery Company, Industrial Bank Building, Post Office Jharia, Dhanbad.	8,30,500
9	Albion (J-1)	Post Office Karmatand	Albion Colliery Company, Post Office, Karmatand, Dhanbad.	4,02,000
10	Bokaro Jharia (J-3)	Post Office Karmatand	Messrs. Agarwalla Brothers, Post Office Karmatand, Dhanbad.	4,64,000
11	North Damuda (J-3)	Post Office Nudkhurkee	Hazaribagh Coal Syndicate Private Limited, Post Office, Jharia, Dhanbad.	8,39,300
12	Kessurgarh (J-4)	Post Office Nudkhurkee	Manbhoom Coal Syndicate Limited, Post Office Jharia, Dhanbad.	27,50,000
13	Madhuband (J-5)	Post Office Nudkhurkee		
14	Kankanee (J-67)	Post Office Bansjora		
15	Pootkee (J-69)	Post Office Kusunda		
16	Amlabad (J-188)	Post Office Bhowrah	Oriental Coal Company Limited, 25, Brabourne Road, Calcutta-1.	1,97,99,500
17	Bhowrah North (J-189)			
18	Bhowrah South (J-190)	Post Office Bhowrah		
19	Mohalbani (J-191)			
20	Begunia (R-6)	Post Office Barakas, District Burdwan.		
21	Khas Benedih (J-6)	Post Office Nawagarh	K.C. Mukherjee and Others, Post Office Hirapur, Dhanbad.	2,88,000
22	Benedih (J-7)	Post Office Nudkhurkee	Benedih Coal Concern, Post Office Katras, Dhanbad.	3,03,00
23	Khas Ganeshpur (J-8)	Post Office Nawagarh	Khas Ganeshpur Coal Mines Limited, 135, Canning Street Calcutta.	37,500
24	Ganeshpur (J-9)	Post Office Nawagarh	Ganeshpur Coal Company Private Limited, Post Office Ganeshpur, Dhanbad.	37,500
25	Ashakuti Phularitand (J-10)	Post Office Kharkharee	Ashakuti Coal Company Limited, 1/1, Rowland Road, Calcutta—20.	18,19,000
26	Mohanpur (J-11)	Post Office Kharkharee	Shrimati Parbati Devi, Post Office Kharkharee, Dhanbad.	5,000
27	New Bansjora (J-12)	Post Office Kharkharee	S. K. Sahana and Sons Private Limited, Post Office Kharkharee, Dhanbad.	1,40,000
28	Khas Bhurangya (J-13)	Post Office Mohuda	Khas Bhurangya Coal Company, Post Office Jharia, Dhanbad.	5,000

Sl. No.	Name of the mine	Location of the mine	Name and address of the owners of the mine	Amount (in rupees)
1	2	3	4	5
29	Raneedih/Pipratand (J-14)	Post Office Mohuda	Shri K. L. Sablok, C/o Sudarsan Motors, Post Office Dhansar, Dhanbad.	48,000
30	East Mucheraidih (J-15)	Post Office Mohuda	East Mucheraidih Coal Company Limited, Post Office Jharia, Dhanbad.	5,000
31	New Huntodih (J-16)	Post Office Mohuda	New Huntodih Coal Company Limited, 178, Mahatma Gandhi Road, Calcutta-I.	21,300
32	Bhatdee (J-19)	Post Office Mohuda	Bengal Bhatdee Coal Company Limited, 14, Netaji Subhas Road, Calcutta.	19,60,800
33	Kharkharee (J-20)	Post Office Kharkharee	Bharat Mining Corporation Limited, 91, Stephen House Dalhousie Square East. Calcutta-1.	19,66,000
34	New Sinidih (J-21)	Post Office Kharkharee	Messrs. Bamandiha Coal Company Limited, 3, Synagogue Street, Calcutta-1.	39,500
35	Dharmaband (J-22)	Post Office Katrasgarh	H. M. Barat and M.C. Barat, Post Office Katrasgarh, Dhanbad.	16,300
36	New Dharmaband (J-23)	Post Office Malkera	Sethia Mining and Manufacturing Company Limited, 4, Bakul Bagan Road, Calcutta.	12,05,000
37	Sinidih (J-25)	Post Office Katrasgarh	Sinidih Colliery Concern Private Limited, Post Office Katrasgarh Dhanbad.	5,13,500
38	Tundoo Khas (J-26)	Post Office Tundoo	J. P. Lala & Sons Collieries Private Limited, Post Box No. 76, Dhanbad.	4,79,000
39	Bilbera (J-27)	Post Office Katrasgarh	B. N. Mondal and Company, 22, Canning Street, Calcutta.	3,93,500
40	Jealgora Govindpur (J-28)	Post Office Sonardih	Jealgora Govindpur Colliery Company Limited, Post Office Sonardih, Dhanbad.	2,90,500
41	South Govindpur (J-29)	Post Office Katrasgarh	H. I. Pathak, Post Office Katrasgarh, Dhanbad.	4,22,500
42	Diamond Tettuliya (J-30)	Post Office Sonardih	Bihar Collieries Limited, District Dhanbad.	5,000
43	Central Tetturya (J-31)	Post Office Malkera	Sri Tarapada Lodha & Others, Post Office Katrasgarh, District Dhanbad.	7,500
44	New Tentulia (J-32)	Post Office Malkera	Tentulia Khas Colliery Company Limited, 25, Barbourne Road, Calutta.	16,86,500
45	Central Kooridih Sonardih (J-33)	Post Office Katrasgarh	Central Kooridih Colliery Company, Post Office Katrasgarh, Dhanbad.	12,23,500
46	New Gobindpur (J-34)	Post Office Sonardih	New Gobindpur Coal Company Limited, 33, Canning Street, Calcutta-1.	13,92,000
47	Khas Mehtadih (J-35)	Post Office Katrasgarh	Messrs. Khas Mehtadih Colliery Company, Post Office Katrasgarh, Dhanbad.	13,80,000
48	Agardi (J-36)	Post Office Katrasgarh	Agardih Colliery Company, Post Office Katrasgarh, District Dhanbad.	3,78,300
49	Katras Choltodih (J-37).	Post Office Katrasgarh	Burrakar Coal Company Limited, Chartered Bank Building, Calcutta-1.	1,68,56,000
50	Mudidih (J-62)	Post Office Sijua		
51	Badruchuk (J-63)			
52	Loyabad (J-68)	Post Office Bansjora		
53	Lakurka (J-38)	Post Office Katrasgarh	Lakurka Coal Company Limited, 3, Synagogue Street, Calcutta.	7,27,000
54	Koiludih (J-39)	Post Office Katrasgarh	Messrs. East Katras Colliery Company Private Limited, Post Office Katrasgarh, Dhanbad.	20,08,000
55	East Katras (J-41)			

Sl. No.	Name of the mine	Location of the mine	Name and address of the owners of the mine	Amount (in rupees)
1	2	3	4	5
56	Khas Govindpur (J-40)	Post Office Katasgarh	Khas Govindpur Coal Company Private Limited, Post Office Katrasgarh, Dhanbad.	2,65,000
57	East Salanpur (J-42)	Post Office Katrasgarh	East Salanpur Colliery Company, Post Office, Katrasgarh, Dhanbad.	2,57,500
58	Joint Salanpur (J-43)			
59	Khas Salanpur (J-44)			
60	North Salanpur (J-45)	Post Office Katrasgarh	Sahai Brothers (Receiver H. S. Sahai), Post Office Katrasgarh, Dhanabad.	1,00,000
61.	Selected Salanpur (J-46)	Post Office Katrasgarh	Selected Salanpur Colliery Company, Post Office Katrasgarh, Dhanbad.	5,000
62	Central Salanpur (J-47)	Post Office Katrasgarh	Central Salanpur Coal Concern, Post Office Katrasgarh, Dhanbad.	1,84,500
63	Lakurka Khas (J-48)	Post Office Katrasgarh	Bharat's Debutter Estate, Post Office Katrasgarh, Dhanbad.	1,96,800
64	Salanpur (J-49)	Post Office Katrasgarh	M/s. New Lakurka Colliery Company and Shrimati Sarojini Devi, Post Office, Katrasgarh, Dhanbad.	4,14,500
65	New Lakurka (J-50)			
66	National Angarpathra (J-51)	Post Office Katrasgarh	National Coal Company Private Limited, 48/1, Ram Tarun Bose Lane, Calcutta-6.	2,89,000
67	Union Angarpathra (J-52)	Post Office Sijua	Union Coal Company Limited, 135, Biplabi Rash Behari Basu Road, Calcutta-1.	4,51,000
68	Gaslitam (J-53)	Post Office Sijua	New Manbhum Coal Company 138, Biplabi Rash Behari Basu, Road, Calcutta-1.	12,42,000
69	Ramkanali (J-54)	Post Office Katrasgarh	Bijali Kanti Roy, Keshalpur House, Post Office Katrasgarh, Dhanbad.	4,70,000
70	Trigunait (J-55)	Post Office Katrasgarh	East Angarpathra Colliery Company Limited, Post Office Katrasgarh, Dhanbad.	16,20,000
71	Kanta Pahari (J-56)			
72	Khas Angarpathra (J-57)			
73	Jharia Khas (J-58)			
74	East Angarpathra (J-59)			
75	Mahabir Angarpathra (J-60)			
76	Diamond Angarpathra (J-61)	Post Office Katrasgarh	Diamond Angarpathra Colliery Company, Post Office Katrasgarh, Dhanbad.	5,000
77	Jogta (J-64)	Post Office Sijua	Jogta Coal Company Limited, Post Office Sijua, Dhanbad.	6,82,000
	endra (J-65)	Post Office Bansjora	Messrs. Hind Shippers Limited, 135, Biplabi Rash Behari Basu Road, Calcutta—1.	9,99,0000
79	Sendra Bansjora-Gopal Gararia (J-66)	Post Office Bansjora	Messrs. Sendra Bansjora Colliery Company Private Limited, 135, Canning Street, Calcutta—1.	18,29,000
80	North Ekra (J-78)			
81	Gararia (J-79)			
82	Gopalichuck (West) (J-70)	Post Office Kusunda	Central Kirkend Coal Company Limited, 91, Stephen House, Dalhousie Square East, Calcutta—1.	6,94,000
83	Central Kirkend (J-71)			
84	Motiram's Kirkend (J-72)	Post Office Kusunda	Motiram Roshanlal Coal Company Private Limited, Dhanad.	48,800
85	Khas Kirkend (J-73)	Post Office Kusunda	Phuramal Agarwal, Post Office Dhansar, Dhanbad.	18,800
86	Kirkend (J-74)	Post Office Kusunda	New Marine Coal Company (Bengal) Limited, 111, Chittaranjan Avenue, Calcutta.	16,24,000
87	New Marine (J-75)			

Sl. No.	Name of the mine	Location of the mine	Name and address of the owners of the mine	Amount (in rupees)
1	2	3	4	5
88	Bansdeopur (J-77)	Post Office Kusunda	New Bansdeopur Coal Company Limited, 28-B, Netaji Subhas Road, Calcutta.	4,44,500
89	Central Gararia (J-80)	Post Office Bansjora	Central Gararia Colliery Company Private Limited, Post Office Bansjora, Dhanbad.	58,800
90	Gararia (J-81)	Post Office Bansjora	Tikmani and Company, Post Office Bansjora, Dhanbad.	1,34,000
91	Chhota Bowa (J-82)	Post Office Bansjora	Chhota Bowa Colliery Company Limited, Post Office Bansjora, Dhanbad.	3,27,500
92	Murulidih (J-17)	Post Office Mohuda	Kalyanji Mavji and Company, 14, Netaji Subhas Road, Calcutta—1.	21,33,000
93	West Bhuggatdih (J-95)	Post Office Jharia		
94	Industry (J-96)	Post Office Dhansar		
95	West Ena (J-97)	Post Office Dhansar		
96	Murulidih 20 and 21 Pits. (J-18)	Post Office Mohuda	Bengal Coal Company Limited, 8, Clive Row, Calcutta—1	49,49,000
97	Chanch (R-3)	Post Office Chirkunda, District Dhanbad.		
98	Maheshpur (J-24)	Post Office Katrasgarh	Messrs. Sahu Minerals and Properties Limited, A-3, Prithviraj Road, Jaipur.	29,68,000
99	Ekra Khas (J-76)	Post Office Kusunda		
100	Busseriya (J-83)	Post Office Kusunda	Busseriya Coal Company (Private) Limited, 13, Radha Bazar Lane, Calcutta—1.	4,29,500
101	Busseriya North and South (J-85)			
102	East Ektra (J-84)	Post Office Bansjora	East Ekra Coal Compnay, C/o K. Worah, Jora Bangalow, Dhanbad.	11,300
103	North Busseriya (J-86)	Post Office Bansjora	North Busseriya Colliery Company, Post Office Bansjora, Dhanbad.	1,75,300
104	Surendra East Loyabad (J-87)	Post Office Kirkend	Surendra East Loyabad Colliery, Company, Post Office Jharia, Dhanbad.	1,24,500
105	Gondudih (J-88)	Post Office Kusunda	Central Alkusa Colliery Company, Post Office Kusunda, Dhanbad.	3,57,000
106	Dhariajoba (J-89)	Post Office Kirkend	M/s. H. D. Agarwalla & Sons, Post Office Jharia, Bihar.	13,65,000
107	West Godhur (J-90)	Post Office Kusunda		
108	Godhur (J-91)	Post Office Kusunda	Godhur Colliery Company, Post Office Kusunda, Dhanbad.	33,07,000
109	Pure Kustore (J-92)	Post Office Kusunda	Pure Kustore Colliery Company, Post Office Kusunda, Dhanbad.	19,27,500
110	Nayadee Kusunda (J-93)	Post Office Kusunda	Kusunda Nayadee Colliery Company (Private) Limited, Post Office Kusunda Dhanbad.	27,42,000
111	Kusunda (J-94)	Post Office Kusunda	Not available.	5,000
112	Kendwadih (J-98)	Post Office Kusunda	East India Coal Compnay Ltd., Post Office Jealgora, Dhanbad.	93,28,500
113	South Bulliary (J-101)	Post Office Kusunda		
114	Jealgora (J-184)	Post Office Jealgora		
115	Bararee Joyarampur (J-168)			
116	Bararee (J-185)			
117	Balihari C.T.C. (J-99)	Post Office Kusunda	Not available.	22,500
118	Kutchi Balihari (J-100)	Post Office Kusunda	Balihari Colliery Company Limited, 14, Netaji Subhas Road, Calcutta-1.	6,53,000
119	Bhagaband (J-102)	Post Office Bhagaband	The Borrea Coal Company Limited, Chartered Bank Building, Calcutta-1.	32,58,000
120	Gonahadih (J-104)	Post Office Kusunda	Sri Biswanath Roy, Keshalpur House, Post Office Katrasgarh, Dhanbad.	12,90,500

Sl. No.	Name of the mine	Location of the mine	Name and address of the owners of the mine	Amount (in rupees)
1	2	3	4	5
121	Kendwadih (J-103)	Post Office Bhaga	Equitable Coal Company Limited, 1/2-Lord Sinha Road, Calcutta-16.	98,800
122	Bhutgoria (J-109)			
123	Hurriladih (J-110)			
124	Alkusa South (J-105)	Post Office Kustore	Rancegunge Coal Association Limited, 3A, Chowringhee Place, Calcutta-13.	91,95,000
125	Kustore (J-106)	Post Office Kustore		
126	Burragarh (J-107)	Post Office Jharia		
127	Pure Burragarh (J-108)			
128	Simlabahal (J-111)	Post Office Jharia	Shri P. Roy, Director and nominated owner, Bhalgora Coal Company, 3, Synagogue Street, Calcutta.	4,93,000
129	Bhuggatdih (J- 112)	Post Office Dhansar	Bengal Nagpur Coal Company, 5, Synagogue Street, Calcutta—1.	6,47,000
130	Ena (J-113)	Post Office Dhansar	North West Coal Compnay Limited, 5, Synagogue Street, Calcutta,-1.	9,77,500
131	East Bhalgora (J-114)	Post Office Jharia	East Bhuggatdih Colliery Company (Private) Limited, Post Office Jharia, Dhanbad.	17,08,000
132	Khas Jharia (J-115)			
133	East Ena (J-116)			
134	East Bhuggatdih (J-117)			
135	Selected Khas Jharia (J-118)			
136	Selected Jharia (J-119)			
137	Selected Model Jharia (J-121)			
138	Bhalgora (J-120)	Post Office Jharia	Bhalgora Coal Company Limited, 3, Synagogue Street, Calcutta-1.	4,86,000
139	New Khas Jharia (J-122)	Post Office Jharia	Fularibad Colliery Company, Post Office Jharia, Dhanbad.	15,000
140	Fularibad (J-123)			
141	Sonalibad (J-138)			
142	Rajapur (J-125)	Post Office Jharia	Rajapur Colliery Company Limited, Post Office Jharia, Dhanbad.	2,39,000
143	Khas Bhuggatdih (J-126)	Post Office Jharia	Khas Bhuggatdih Colliery Company, Post Office Jharia, Dhanbad.	2,67,000
144	New Pure Jharia (J-124)	Post Office Jharia	D.D. Thacker and Sons, Dhanbad.	10,000
145	Pure Jharia (J-127)			
146	K. P. Dobari (J-128)	Post Office Jharia	K. P. Dobari, Post Office Jharia.	54,300
147	South Jharia (J-129)	Post Office Jharia	J. K. Banerjee and Others, Post Box No. 46. Hirapur, District Dhanbad.	1,45,800
148	Model Jharia (J-133)			
149	East Pure Jharia (J-130)	Post Office Jharia	Owner not known.	5,000
150	Dobar (J-131)	Post Office Jharia	R. N. Bagchi and Brothers, 5/8, Middle Row. Calcutta.	3,42,300
151	East Model Jharia (J-132)	Post Office Jharia	Not available.	5,000
152	Golden Jharia (J-134)	Post Office Jharia	Khora Ramji. Post Office Jharia, Dhanbad.	5,000
153	Fatehpur (J-135)	Post Office Jharia	G.K. Dossa and Company, Post Office Jharia, Dhanbad.	5,000
154	Pure Durgapur (J-136)	Post Office Jharia	Pure Durgapur Colliery Company Private Limited, Post Office Jharia, Dhanbad.	5,000
155	Khas Jharia (J-137)	Post Office Jharia	Fularibad Colliery Company, Post Office Jharia, Dhanbad.	5,000
156	Ganhoodih (J-139)	Post Office Jharia	S. B. Banerjee and Sons, Post Office Jharia, Dhanbad.	27,52,000
157	East Jharia (J-140)	Post Office Jharia	Not available.	5,000
158	K. P. Kujama (J-141)	Post Office Jharia	Jayantilal Keshavji Bale, Dave House, Jorapharak, Post Office Dhansar, Dhanbad.	96,800
159	Kujama (J-142)			

Sl. No.	Name of the mine	Location of the mine	Name and address of the owners of the mine	Amount (in rupees)
1	2	3	4	5
160	North Kujama (J-143)	Post Office Jharia	Ganji Dossa and Company, Post Office Jharia, Dhanbad.	63,500
161	Central Kujama (J-144)	Post Office Jharia	Central Kujama Coal Concern, Post Office Jharia, Dhanbad.	5,26,000
162	Nanji Kujama (J-145)			
163	Pandebera (J-146)			
164	Pure Kujama (J-147)			
165	Kujama Pandebera (J-148)			
166	South Kujama (J-149)	Post Office Jharia	Bagdigi Kujama Collieries Company (1946) Limited, Post Office Jharia, Dhanbad.	25,84,000
167	Goluckdih (J-150)	Post Office Jharia	Goluckdih Colliery Company, 22, Burtolla Street, Calcutta.	13,96000
168	South Goluckdih (J-151)	Post Office Jharia	Messrs. Khimji Dossa and Sons, Post Office Jharia, Dhanbad. and South Goluckdih Coal Company, Post Office Jharia, Dhanbad.	8,78,500
169	Central Jharia (J-152)			
170	Indian Jharia (J-153)			
171	Lower Upper Jharia (J-154)	Post Office Jharia	Khimji Dossa & Sons, Post Office Jharia, Dhanbad.	1,33,300
172	Central Tisra (J-155)	Post Office Jharia	Shri K. D. Singh, Post Office Jharia, Post Box No. 111, Dhanbad.	2,71,000
173	Tisra (D.D.) (J-156)	Post Office Jharia	Dhanji Devji and Sons, Post Office, Jharia, Dhanbad.	2,72,800
174	Tisra (Diamond) (J-157)	Post Office Jharia	The Diamond Coal Company Limited, Post Office Jharia. Dhanbad.	2,56,000
175	Tisra (A.G.) (J-158)	Post Office Jharia	Amarsing Gowamal & Sons, Post Box No. 47, Jharia, Dhanbad.	3,38,500
176	Sree Commercial (J-159)	Post Office South Tisra	Bengal Jharia Colliery Company Private Limited, Post Office South Tisra, Dhanbad.	8,50,000
177	Bengal Jharia (J-160)			
178	East India (J-161)			
179	Khas Joyrampur (J-163)	Post Office Khas Jeenagora.	Khas Joyrampur Colliery Company, Post Office Khas Jeenagora, Dhanbad.	31,51,000
180	Lower Joyrampur (J-165)			
181	Pure Joyrampur (J-169)			
182	South Tisra (J-162)	Post Office Tisra	South Tisra Colliery Company Private Limited, Post Office Jharia, Dhanbad.	6,68,000
183	Kalithan Jeenagora (J-164)	Post Office Khas Jeenagora.	K.B. Seal and Sons, 28, Raja K. L. Goswami Street, Post Office Serampur. District Hooghly (West Bengal).	4,42,500
184	Kalithan Suratand (J-175)	Post Office Jharia		
185	New Jeenagora (J-166)	Post Office Khas Jeenagora.	Khas Jeenagora Colliery Limited. 135, Biplabi Rash Bihari Basu Road, Calcutta-1.	8,99,000
186	Central Jeenagora (J-167)			
187	North Bararee Jeenagora (J-170)			
188	Khas Jeenagora (J-171)			
189	Sri Jeenagora (J-173)			
190	East Bararee (J-172)	Post Office Khas Jeenagora.	Jeenagora East Bararee Colliery Company, Post Office Khas Jeenagora, Dhanbad.	3,05,500
191	New Suratand (J-174)	Post Office Jharia	Not available.	5,000

Sl. No.	Name of the mine	Location of the mine	Name and address of the owners of the mine	Amount (in rupees)
1	2	3	4	5
192	Niluri Patra (J-176)	Post Office Jharia	Niluri Patra Coal Company Limited, Post Office Jharia, Dhanbad.	5,000
193	North Burrakar Suratand (J-177)	Post Office Jharia	The New Standard Coal Company (Private) Limited, 27, Palace Court, 1, Kyd. Street, Calcutta-16.	1,12,500
194	North Burrakar Lodna (J-178)			
195	Lodna (J-179)			
196	Standard (J-180)	Post Office Bhaga	Standard Coal Company, Post Office Bhaga, Dhanbad.	24,800
197	Lodna (J--181)	Post Office Jharia	Lodna Colliery Company (1920) Limited, 6, Lyons Range, Calcutta.	81,80,800
198	Madhuban Lodna (J-182)			
199	Begdigi (J-183)			
200	Bhulanbararee (J-186)	Post Office Patherdih	Bhulanbararee Coal Company, 4, Clive, Row, Calcutta-1.	15,13,300
201	Lachmi (J-187)	Post Office Patherdih	Lachmi Coal Company, 31 Mullick Street, Calcutta.	76,500
202	Central Bhowrah (J-192)	Post Office Bhowrah	Central Bhowrah Coal Company, Post Office Jharia, Dhanbad.	30,000
203	Sitanala (J-193)	Post Office Bhojudih	Mohatta Brothers, 19, British Indian Street, Calcutta-1.	56,300
204	East Bhowra (J-194)	Post Office Patherdih	Shrimati Jyotsna Devi, Post Office Sitarampur, District Burdwan.	3,49,000
205	East Sowardith (J-195)	Post Office Patherdih	J.N. Supakar Brothers and Company, Post Office Patherdih, Dhanbad.	5,000
206	Patherdih (J-196)	Post Office Patherdih	Patherdih Sudamdih Colliery (Private) Limited, Post Office Patherdih, Dhanbad.	56,500
207	New Sudamdih (J-197)	Post Office Patherdih	New Sudamdih Colliery Company, Post Office Patherdih, Dhanbad.	1,97,000
208	Selected Patherdih (J-198)	Post Office Patherdih	Selected Patherdih Coal Company Limited, 12, Tarachand Dutta Street, Calcutta-1.	13,000
209	New Chasnalla (J-199)	Post Office Jharia	New Chasnalla Coal Concern, Post Office Jharia, Dhanbad.	5,000
210	Pure Chasnalla (J-200)	Post Office Patherdih	Pure Chasnalla Colliery Company 192, Cross Street, Calcutta-7.	49,800
211	Junkundar (R-1)	Post Office Chirkunda, District Dhanbad.	D. Mondal and Company Limited. Post Office Dishergarh, District Burdwan, West Bengal.	1,56,000
212	Laikdih Deep (R-2)	Post Office Chirkunda, District Dhanbad.	Katras-Jharia Coal Company Limited, 8, Clive Row, Calcutta-1	16,53,000
213	Victoria (R-4)	Post Office Kulti, District Burdwan.	New Birbhoom Coal Company Limited, 8, Clive Row, Calcutta-1.	23,38,300
214	Victoria West (R-5)			

NOTE :—The number specified, in brackets, against the name specified in the second column indicates the corresponding serial number of the coking coal mine in the First Schedule to the Coking Coal Mines (Emergency Provisions) Act, 1971 (64 of 1971). The abbreviations "EB" stand for "East Bokaro Coalfield", "J" stands for Jharia Coalfield; and "R" stand for "Raneegunge Coalfield."

THE SECOND SCHEDULE

(*See* sections 5 and 11)

Sl No	Name of the coke oven plant	Location of the coke oven plant	Name and address of the owners of the coke oven plant	Amount (in rupees)
1	2	3	4	5
1.	Bararee Coke Plant	South Pathardih-Konar-dih Colliery Post Office Kusunda, District Dhanbad	Bararee Coke Company Limited 4 Clive Row Calcutta—1.	21,42,000
2.	Bhowra Coke Plant	Bhowra South Colliery Post Office Bhowra, District Dhanbad.	Messrs. Bhowra Coke Company Bhartchharan House Lohi Circular Road Dhanbad.	11,76,000
3.	Bhulanbararee	Bhulanbararee Colliery Post Office Pathardih, District Dhanbad.	Bararee Coke Company Limited, 4, Clive Row, Calcutta—1.	2,03,500
4.	Central Bhowra	Central Bhowra Colliery, Post Office Bhowra, District Dhanbad.	Central Bhowra Coal Company (Private) Limited, Post Office Jharia, and G. D. Kumar and Sons, Bastacolla, Post Office Dhansar, Dhanbad.	2,08,500
5.	Central Kooridih	Central Kooridih-Sonardih Colliery, Post Office Katrasgarh Dhanbad.	Shivlam Singh and Company (Private) Limited, Post Office Katrasgarh, District Dhanbad.	1,50,000
6.	Jankinagar Valley Beehive Coke Plant	Jankinagar Collieries, Post Office Chirkunda, District Dhanbad	D. Mondal and Company Limited Panchayat Road, Post Office Chirkunda, District Dhanbad.	1,08,800
7.	New Gobindpur	New Gobindpur Colliery, Post Office Sonardih, District Dhanbad.	Ghosh's Estate Private Limited 33, Canning Street, Calcutta—1.	1,12,500
8.	New Standard Lodna	New Standard Lodna Colliery Post Office Jharia, District Dhanbad	Messrs Singh Sachdeva Post Office Dhansar, Dhanbad.	1,05,000
9.	New Swanlia	New Swanlia Colliery, Post Office Patherdih, District Dhanbad.	Sanjive Coke Manufacturing Company, C/o H D Ajmera, Post Office Patherdih, Dhanbad.	3,21,000
10.	New Tarmi	New Tarmi Colliery, Post Office Jharia, District Dhanbad.	Beehive Hard Coke Manufacturing Company, Chowra Construction Company Private Limited, 111, Central Avenue, Calcutta.	2,57,500
11.	Rajkanaly	Rajkanaly Collieries, Post Office Katrasgarh, District Dhanbad.	Bijali Kanti Roy, Keshalpur House, Post Office Katrasgarh Dhanbad and M. C. Coal Company, Post Office Jharia, Dhanbad.	2,02,000
12.	Union Angarpathra	Union Angarpathra Colliery, Post Office Katrasgarh, District Dhanbad.	Satyadeo Singh Coal Company (Private) Limited, 138, Biplabi Rash Bihari Basu Road Calcutta—1.	1,84,000

STATEMENT OF OBJECTS AND REASONS

Coking coal is essential for the production of iron and steel but the resources thereof are severely limited and consequently careful conservation of such resources is required in the long term interest of the steel industry. Such conservation can be achieved only by ensuring scientific development and efficient conduct of operations in each coalfield and by employing proper techniques of mining. Efforts were made in the past to rationalise and coordinate the development and mining of coking coal but these efforts did not succeed. It had, therefore, become urgently necessary to assume, in the public interest, complete responsibility for the reorganisation and reconstruction of the coking coal industry and the connected coke production so that adequate supplies of coal and coke may be ensured to meet the growing requirements of the steel industry. The Central Government, therefore, decided to nationalise the coking coal mines and coke oven plants as early as possible. As it was found that such nationalisation would take a long time to be effected, the management of 214 coking coal mines and 12 coke oven plants was taken over by the Government, pending nationalisation of such mines and plants, under the Coking Coal Mines (Emergency Provisions) Act, 1971 (No. 64 of 1971). The present Bill seeks to complete the process of nationalisation of the coking coal mines and coke oven plants by providing for the acquisition of the right, title and interest of the owners thereof.

S. MOHAN KUMARAMANGALAM.

NEW DELHI;

The 23rd July, 1972.

FINANCIAL MEMORANDUM

Clauses 10 and 11 of the Bill, respectively, provide for the payment, in cash, by the Central Government, to the owners of the coking coal mines/ coke oven plants, an amount equal to the amount specified against each such mine/plant in the First Schedule and the Second Schedule to the Bill, for vesting in the Central Government the right, title and interest of the owner in relation to such mine/plant. The total estimated amount involved on this account is likely to be of the order of Rs. 16,37,31,500.

2. Sub-clause (1) of clause 12 of the Bill provides for the payment in cash, by the Central Government, to the owners of such mine/plant a further amount equal to the amount which would have been, but for the retrospective operation of the provisions of clauses 4 and 5 of the Bill, payable to such owner under the Coking Coal Mines (Emergency Provisions) Act, 1971 (No. 64 of 1971), for the period commencing on the 1st day of May, 1972 and ending on the day on which the Bill becomes an Act. The amount involved on this account is estimated at Rs. 3.50 lakhs per month.

3. Sub-clause (2) of clause 12 provides for the payment of simple interest on the amounts referred to in clauses 10 and 11 at the rate of 4 per cent. per annum for the period commencing on the date on which the Bill becomes an Act and ending on the date on which payment of the said amounts is made to the Commissioner of Payments. It is estimated that the interest payments in terms of the provision of the said sub-clause are likely to be of the order of Rs. 5,46,000 per month.

4. Under clause 20 of the Bill a Commissioner of Payments will be appointed by the Government, with adequate staff to assist him, for the purpose of disbursing the amounts payable to the owners of each coking coal mine/coke oven plant. The salaries and allowances of the Commissioner of Payments and his staff and expenditure on office and establishment will be defrayed out of the Consolidated Fund of India. The estimated expenditure on this account is likely to be of the order of Rs. 20,000 per month.

5. The Bill, if enacted, is not likely to involve any other non-recurring expenditure.

MEMORANDUM REGARDING DELEGATED LEGISLATION

Clause 34 of the Bill empowers the Central Government to make rules to carry out the provisions of the Bill. Such rules may provide for matters, such as—

(*a*) the manner in which the coking coal mines or coke oven plants shall be managed by a Government company;

(*b*) the manner in which provident fund monies referred to in clause 18 of the Bill shall be dealt with; and

(*c*) the form and manner in which the statement of accounts referred to in clause 22 of the Bill shall be prepared.

2. The matters in respect of which such rules may be made are generally matters of procedure and administrative details and it is not practicable to provide for them in the Bill itself. The delegation of the legislative power is, therefore, of a normal character.

S. L. SHAKDHER,

Secretary.

PRINTED BY THE GENERAL MANAGER, GOVERNMENT OF INDIA PRESS, MINTO ROAD, NEW DELHI AND PUBLISHED BY THE MANAGER OF PUBLICATIONS, DELHI, 1972